

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 4:23CR116-SA

**RONNELL PRATT A/K/A “PJ”
JARVIS HOOD**

**GOVERNMENT’S REPLY IN SUPPORT OF MOTION IN LIMINE
REGARDING ADMISSIBILITY OF RECORDS
PURSUANT TO FEDERAL RULES OF EVIDENCE 803(6) AND 902(11)**

Comes now the United States of America, by and through the United States Attorney for the Northern District of Mississippi and replies in support of its Motion in Limine for admission of records under Rule 803(6), through authentication pursuant to Rule 902(11). In support thereof, the United States would show unto the Court the following:

Defendant Hood has responded in opposition to a preliminary determination of the applicability of Rules 803(6) and 902(11). Counsel’s primary argument is that the records the certificates relate to are not readily apparent. The discovery materials provided in this case contain records from different providers with corresponding certificates that accompany them and, in some instances, reports or search warrant affidavits that further explain the records. In providing notice of its intent to authenticate records, the government extracted copies of all certificates of authenticity produced in discovery and separately provided them to facilitate locating the affidavits.

“A proper foundation is laid for business records simply by an affidavit that attests to the requisite elements of Fed. R. Evid. 803(6).” *See United States v. Towns*, 718 F.3d 404, 409 (5th Cir. 2013). However, the government’s request that this Court make a preliminary determination as to admission of records under Rule 803(6), through authentication pursuant to Rule 902(11),

does not ensure the admissibility of the records at trial. Counsel for the defendant is free to object on other grounds that would prevent admissibility when the records are offered. *See* Fed. R. Evid. 902 (advisory committee's notes to 2017 Amendment).

Notably, there are no legal grounds argued by defendant against authenticity of the records or the application of the rules as sought by the motion. For the foregoing reasons, the government respectfully requests the Court grant its Motion in Limine.

This, the 28th day of September, 2024.

Respectfully submitted,

CLAY JOYNER
United States Attorney

By: /s/ Julie Howell Addison

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CERTIFICATE OF SERVICE

I, Julie Howell Addison, Assistant United States Attorney for the Northern District of Mississippi, certify that a copy of the foregoing Government's Reply was filed with the Clerk of Court using CM/ECF system, which provided electronic notice to all counsel of record.

This, the 28th day of September, 2024.

/s/ Julie Howell Addison

JULIE HOWELL ADDISON
Assistant United States Attorney